Issue of trade marks by Registrar-General, Trade Marks

†492. SHRI KRIPAL PARMAR: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether High Court of Uttar Pradesh has issued instructions to Registrar-General, Trade Marks, Government of India to clarify its view immediately and to take appropriate action with regard to the attempt made by some other firm for registration of the Trade Marks fraudulently which have already been allotted to Messer's Bioherbs, Hathras for two medicines for animal, as per the rules;

(b) if so, what action has been taken by the Registrar General, Trade Marks, in pursuance of instructions of the U.P. High Court;

(c) if not, the reasons for delay in the matter; and

(d) by when a decision is likely to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN SINGH): (a) to (d) The High Court of Uttar Pradesh, while dismissing the writ petition filed by M/s. Bioherbs Pharma directed the Registrar to dispose off the show cause notice issued by the Registrar on a complaint filed by M/s. Bioherbs Pharma for taking action against M/s. Cattle Remedies, Sirsaganj, Uttar Pradesh under Section 81 of the Trade and Merchandise Marks Act, 1958. The court also directed M/s. Cattle Remedies to raise their plea before the Registrar at New Delhi. Accordingly, the hearing into the aforesaid show cause notice was resumed. The matter has been taken up for evidence of both parties on several occasions by the Registrar at New Delhi. The parties are yet to complete their evidence and arguments before the Registrar. However, the parties have been given a last opportunity to complete their pleadings before the Registrar and the matter has been fixed for hearing on 6.3.2002 for final disposal of the aforesaid show cause notice. After hearing by the Registrar of Trade Marks at New Delhi, the decision will be delivered within two weeks.

---

†Original notice of the question was received in Hindi.